



PREPROPOSAL STATEMENT OF INQUIRY

(RCW 34.05.310)

CR-101 (710/97)

Do NOT use for expedited repeal or adoption

Agency: Washington State Patrol

Subject of possible rule making: WAC 204-90-120 Suspension

(a) Statutes authorizing the agency to adopt rules on this subject: RCW 46.37.005 and 46.37.320

(b) Reasons why rules on this subject may be needed and what they might accomplish: Office of Government and Media Relations and Equipment and Standards worked with Representative Jim Clements and other members of the House Transportation Committee, during the 2005 Legislative Session to draft language relating to the use of aftermarket hydraulic or mechanical system to raise or lower the height of a motor vehicle. An error was found in the proposed language and the bill was vetoed. WSP was asked if the proposed language, once corrected, could be incorporated into an existing WAC. Yes, attached is WAC 204-90-120 with the proposed language underlined.

(c) Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: Some low rider car club members contacted Representative Clements supporting his efforts to pass a law allowing the use of hydraulics or other mechanical system to raise or lower the height of a motor vehicle while in motion on public roadways. It is our understanding, Representative Clements requested feedback from local law enforcement agencies, as this would fall more under their jurisdiction than WSP. Captain Jeff Devere spoke with WASPC (Larry Erickson/James McMahan) about the proposed language, it was suggested the language be

(d) Process for developing new rule (check all that apply):

☐ Negotiated rule making

☐ Pilot rule making

☐ Agency study

☒ Other (describe) Worked with Representative Jim Clements and other members of the House Transportation

Committee, who had documentation from various car/lowrider clubs in Washington, requesting and supporting a law allowing for the use of hydraulics or other mechanical means to raise and lower a vehicle while on public roadways.

(e) How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:

(List names, addresses, telephone, fax numbers of persons to contact; describe meetings, other exchanges of information, etc.)

Washington State Patrol

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DATE 7/5/05

CODE REVISER'S OFFICE
STATE OF WASHINGTON
FILED

JUL 4 2005

TIME

WSR

05-14-126

AM
PM

AMENDATORY SECTION (Amending WSR 98-04-052, filed 1/30/98, effective 3/2/98)

WAC 204-90-120 Suspension. The ground clearance for a special motor vehicle shall be such that the vehicle shall be able to be in motion on its four rims on a flat surface with no other parts of the vehicle touching that surface. Maximum ground clearance for a special motor vehicle shall be determined using the table contained in WAC 204-90-040(6) Bumpers.

The spring mounts and shackles shall be properly aligned and of sufficient strength so as to support the gross weight of the vehicle and provide free travel in an up and down movement under all conditions of operation. Rear coil spring suspension systems shall incorporate anti-sway devices to control lateral movement.

A special motor vehicle shall have a suspension system that allows movement between the unsprung axles and wheels and the chassis body and shall be equipped with a damping device at each wheel location. The suspension system shall be capable of providing a minimum relative motion of plus and minus 2 inches. When any corner of the vehicle is depressed and released, the damping device shall stop vertical body motion within two cycles.

There shall be no heating or welding of coil springs, leaf springs, or torsion bars.

No special motor vehicle shall be constructed or loaded so that the weight on the wheels of any axle is less than 30% of the gross weight of the vehicle. ~~((No hydraulic system shall be activated while the vehicle is being operated on public roadways.))~~

Except when lawfully participating in a parade permitted by local jurisdiction, activation of an aftermarket hydraulic or mechanical system that raises or lowers the height of a motor vehicle is prohibited while the motor vehicle is in motion on a public roadway with a posted speed limit greater than twenty-five miles per hour and while the vehicle is traveling in excess of fifteen miles per hour. At no time may any portion of any tire of such motor vehicle leave the surface of the roadway or may any portion of the vehicle or component of the hydraulic system used to raise or lower the vehicle cause or emit sparks. A motor vehicle equipped with an aftermarket hydraulic or mechanical system must meet all suspension requirements as outlined in this section. Nothing in this section shall prohibit a county or city from enacting stricter regulations for aftermarket vehicle hydraulics on a public roadway.

A special motor vehicle shall be capable of stable, controlled operation while traversing a slalom-type path passing alternately to the left and right of at least four cones or markers arranged in a straight line and spaced 60 feet apart at a minimum speed of 25 MPH. Body lifts are permitted provided that they are manufactured

by an after market manufacturer, designed for the make and model vehicle on which they are installed, and installed according to the manufacturer's recommendations. Body lifts may not use more than a three inch spacer and may not raise the body more than four inches above the frame when all components are installed.